

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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AFSHIN ZARINEBAF, ZACHARY)	
CHERNIK, and JOAN MEYER,)	Case No. 1:18-cv-06951
individually and on behalf of a class of)	
similarly situated individuals,)	Honorable Virginia M. Kendall
)	
PLAINTIFFS,)	
)	
v.)	
)	
CHAMPION PETFOODS USA, INC.)	
and CHAMPION PETFOODS LP,)	
)	
DEFENDANTS.)	
.)	
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**DECLARATION OF REBECCA PETERSON IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

I, Rebecca A. Peterson, declare the following:

1. I am an attorney at the law firm of Lockridge Grindal Nauen P.L.L.P. ("LGN"). I represent Plaintiffs in this matter and submit this Declaration in support of Plaintiffs' Motion for Class Certification.
2. This Declaration is based on my personal knowledge and review of my files.
3. Attached as **Exhibit 1** is a true and correct copy of the bag labels for Acana Free-Run Poultry (Bates numbered CPFB00032, CPFB00033).
4. Attached as **Exhibit 2** is a true and correct copy of the bag labels for Acana Regionals Grasslands (Bates numbered CPFB00039, CPFB00040).
5. Attached as **Exhibit 3** is a true and correct copy of the bag labels for Acana Heritage Meats (Bates numbered CPFB00036, CPF0001872, CPF0002834).

6. Attached as **Exhibit 4** is a true and correct copy of the bag labels for Acana Singles Lamb & Apple (Bates numbered CPFB00050, CPFB00052).

7. Attached as **Exhibit 5** is a true and correct copy of the bag labels for Acana Singles Pork & Squash (Bates numbered CPFB00056, CPFB00057).

8. Attached as **Exhibit 6** is a true and correct copy of the bag labels for Acana Regionals Meadowland (Bates numbered CPFB00042, CPFB00043).

9. Attached as **Exhibit 7** is a true and correct copy of the bag labels for Acana Singles Wild Mackerel (Bates numbered CPFB00055, CPF0001878, CPF0002858).

10. Attached as **Exhibit 8** is a true and correct copy of the bag labels for Orijen Six Fish (Bates numbered CPFB00084, CPFB00088, CPFB00089).

11. Attached as **Exhibit 9** is a true and correct copy of the bag labels for Orijen Original (Bates numbered CPFB00061, CPFB00065).

12. Attached as **Exhibit 10** is a true and correct copy of the bag labels for Orijen Regional Red (Bates numbered CPFB00077, CPFB00082).

13. Attached as **Exhibit 11** is a true and correct copy of the bag labels for Orijen Senior (Bates numbered CPF0001906, CPF002883).

14. Attached as **Exhibit 12** is a true and correct copy of relevant excerpts from a “Product Strategy” document. (Bates numbered CPF0257792). FILED UNDER SEAL.

15. Attached as **Exhibit 13** is a true and correct copy of a relevant excerpt from a document titled “Our Foundation: Our Guiding Principles” dated August 9, 2018 (Bates numbered CPF1999067). FILED UNDER SEAL.

16. Attached as **Exhibit 14** is a true and correct copy of relevant excerpts from a Champion Pet Foods Management Presentation (Bates numbered CPF1973651). FILED UNDER SEAL.

17. Attached as **Exhibit 15** is a true and correct copy of e-mail communications between Vanessa Nieto and Chris Milam on May 24, 2017 (Bates numbered CPF1803444).

18. Attached as **Exhibit 16** is a true and correct copy of a document titled “DOGSTAR FAQs” (Bates numbered CPF1748855).

19. Attached as **Exhibit 17** is a true and correct copy of the Expert Report of Bruce G. Silverman, dated February 24, 2021.

20. Attached as **Exhibit 18** is a true and correct copy of an e-mail communications between Brendan Mitchell of Northern Pelagic Group, LLC (“NORPEL”) and Amanda Flowers, dated between September 2017 and November 2017 (Bates numbered CPF0256512).

21. Attached as **Exhibit 19** is a true and correct copy of an ingredient supplier list (Bates numbered CPF0249062). FILED UNDER SEAL.

22. Attached as **Exhibit 20** is a true and correct copy of an application for a shelf life study in 2015 (Bates numbered CPF1781155). FILED UNDER SEAL.

23. Attached as **Exhibit 21** is a true and correct copy of a Laboratory Shift Report, dated January 2, 2017 (Bates numbered CPF1741216).

24. Attached as **Exhibit 22** is a true and correct copy of a Regrinds Spreadsheet for DogStar, filtered to include only regrind usage in Acana Free-Run Poultry, Acana Regionals Grasslands, Acana Heritage Meats, Acana Singles Lamb & Apple, Acana Singles Pork & Squash, Acana Regionals Meadowland, Acana Singles Wild Mackerel, Orijen Six Fish, Orijen Original, Orijen Regional Red, and Orijen Senior dog foods (Bates numbered CPF2129877). FILED UNDER SEAL.

25. Attached as **Exhibit 23** is a true and correct copy of excerpts from the Deposition of Jason Keith Arnold taken on November 1, 2018, in the matter of *Loeb v. Champion Petfoods USA, Inc.*, No. 18-cv-494-JBS (E.D. Wis.).

26. Attached as **Exhibit 24** is a true and correct copy of excerpts from the 30(b)(6) Deposition of Jeff Johnston taken on June 24, 2020.

27. Attached as **Exhibit 25** is a true and correct copy of shipping-related documents from KNS, Inc., dated March 1, 2018 (Bates numbered CPF0052578). FILED UNDER SEAL.

28. Attached as **Exhibit 26** is a true and correct copy of e-mail communications between Chris Milam and Bonnie Gerow, dated August 29, 2016 (Bates numbered CPF0244035).

29. Attached as **Exhibit 27** is a true and correct copy of regulations revisions (Bates numbered CPF1768707). FILED UNDER SEAL.

30. Attached as **Exhibit 28** is a true and correct copy of a supplier checklist (Bates numbered CPF2074587). FILED UNDER SEAL.

31. Attached as **Exhibit 29** is a true and correct copy of e-mail communications between Sean Williams, Calvin Ho, Steven Efondo, Eliza Soco, Normel Martinez, Robbie Jeffrey, Jessica Mercredi, and Michael Wilson in November 2017 (Bates numbered CPF1817671).

32. Attached as **Exhibit 30** is a true and correct copy of e-mail communications between Sean Williams, Calvin Ho, Normel Martinez, Michael Wilson, Eliza Soco, Jessica Mercredi, Robbie Jeffrey, and Steven Efondo in November 2017 (Bates numbered CPF1817708).

33. Attached as **Exhibit 31** is a true and correct copy of e-mail communications between Bonnie Gerow, Peter Muhlenfeld, Chris Milam, Jeff Johnston, and Angela in Customer Care, dated October 12, 2016 (Bates numbered CPF1949251).

34. Attached as **Exhibit 32** is a true and correct copy of a document regarding a call (Bates numbered CPF1973904). FILED UNDER SEAL.

35. Attached as **Exhibit 33** is a true and correct copy of the White Paper titled, “Heavy Metals and Pet Food, Orijen and Acana Foods in Comparison to Pet Food Safety Standards” (Bates numbered CPF0191844).

36. Attached as **Exhibit 34** is a true and correct copy of excerpts from the 30(b)(6) Deposition of Jason Keith Arnold taken November 27, 2018.

37. Attached as **Exhibit 35** is a true and correct copy of excerpts from the Deposition of Zachary Chernik taken December 8, 2020.

38. Attached as **Exhibit 36** is a true and correct copy of excerpts from the Deposition of Joan Meyer taken November 13, 2020.

39. Attached as **Exhibit 37** is a true and correct copy of excerpts from the Deposition of Afshin Zarinebaf taken on November 23, 2020.

40. Attached as **Exhibit 38** is a true and correct copy of excerpts from the Deposition of Dr. Gary Pusillo taken April 26, 2019.

41. Attached as **Exhibit 39** is a true and correct copy of heavy metals test results for Champion Petfoods dog and cat food from 2016 and 2017 (Bates numbered CPF1252530).

42. Attached as **Exhibit 40** is a true and correct copy of a Certificate of Analysis from Eurofins, dated September 15, 2017 (Bates numbered CPF0217103).

43. Attached as **Exhibit 41** is a true and correct copy of a Certificate of Analysis from Eurofins, dated April 19, 2018 (Bates numbered EUROFINS000336).

44. Attached as **Exhibit 42** is a true and correct copy of e-mail communications between Peter Muhlenfeld, Jeff Johnston, Barbara Fougere, Joanna Milan, and Karen Goldrick, in October 2008 (Bates numbered CPF1827829).

45. Attached as **Exhibit 43** is a true and correct copy of e-mail communications between Frank Burdzy and Jeff Johnston in October 2013 (Bates numbered CPF1295272).

46. Attached as **Exhibit 44** is a true and correct copy of e-mail communications between Sarah Brown and Felix Lau in April 2017 (Bates numbered CPF0172530).

47. Attached as **Exhibit 45** is a true and correct copy of excerpts from the Deposition of Dr. Robert H. Poppenga taken May 22, 2019.

48. Attached as **Exhibit 46** is a true and correct copy of excerpts from the Deposition of Sean Callan taken May 9, 2019.

49. Attached as **Exhibit 47** is a true and correct copy of e-mail communications between Jackie Colville, Sarah Brown, Peter Muhlenfeld, Nikole Bordato, Bonnie CC, Chinedu Ogbonna, Lee Hodgins, and Gayan Hettiarachchi in April 2017 (Bates numbered CPF1842665).

50. Attached as **Exhibit 48** is a true and correct copy of excerpts from the Deposition of Sarah Brown-Tarry taken December 5, 2018.

51. Attached as **Exhibit 49** is a true and correct copy of a Continuing Product Guaranty from Sun Coast Packaging, Inc., dated March 26, 2018 (Bates numbered CPF2093092).

52. Attached as **Exhibit 50** is a true and correct copy of the Expert Report of Sean Callan, dated April 8, 2019.

53. Attached as **Exhibit 51** is a true and correct copy of excerpts from the Deposition of Kenneth Gilmurray taken July 2, 2019.

54. Attached as **Exhibit 52** is a true and correct copy of the Declaration by Christopher Milam from *Scott Weaver v. Champion et al.*, Case No. 2:18-cv-1996-JPS; Dkt. 148-9, dated August 13, 2019.

55. Attached as **Exhibit 53** is a true and correct copy of a supplier's standard operating procedure (Bates numbered JBS0022724). FILED UNDER SEAL.

56. Attached as **Exhibit 54** is a true and correct copy of a supplier audit schedule (Bates numbered CPF21171889). FILED UNDER SEAL.

57. Attached as **Exhibit 55** is a true and correct copy of Champion Petfoods Supplier Audit for Certified Approval of JBS, dated February 8, 2018 (Bates numbered CPF2117191).

58. Attached as **Exhibit 56** is a true and correct copy of e-mail communications between Jim Wagner and Andre Minnaar, dated May 15, 2018 (Bates numbered CPF2119942).

59. Attached as **Exhibit 57** is a true and correct copy of the Food and Drug Administration's observations related to its visit to the JBS Souderton facility, dated October 17, 2018.

60. Attached as **Exhibit 58** is a true and correct copy of excerpts from the 30(b)(6) Deposition of Jim Wagner dated April 3, 2019.

61. Attached as **Exhibit 59** is a true and correct copy of sales data (Bates numbered CPF0057885). FILED UNDER SEAL.

62. Attached as **Exhibit 60** is a true and correct copy of relevant excerpts from a document titled "US B2C Pilot Strategy" (Bates numbered CPF1817441). FILED UNDER SEAL.

63. Attached as **Exhibit 61** is a true and correct copy of a BAFRINO Training Module 1 presentation (Bates numbered CPF1872976).

64. Attached as **Exhibit 62** is a true and correct copy of an e-mail communications between David Marshall, Peter Muhlenfeld, Jeff Johnston, Bonnie CC, Nitasha Happy, and Lindsay Lloyd from April 2014 (Bates numbered CPF0071711).

65. Attached as **Exhibit 63** is a true and correct copy of a 2017-2018 USA Retail Program Guide (Bates numbered CPF1804616).

66. Attached as **Exhibits 64-69**, respectively, are the resumes for Lockridge Grindal Nauen P.L.L.P.; Gustafson Gluek, PLLC; Cuneo Gilbert & LaDuca LLP; Robbins LLP; Lite DePalma Greenberg, LLC; and Wexler Wallace LLP.

67. Attached as **Exhibit 70** is a true and correct copy of the Expert Report of Stefan Boedeker, dated February 24, 2021.

68. Attached as **Exhibit 71** is a true and correct copy of the Expert Report of Dr. Gary Pusillo, dated April 1, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2021, in Minneapolis, Minnesota.

/s/ Rebecca A. Peterson

Rebecca A. Peterson